



Department of Transformation and Shared Services

Governor Asa Hutchinson

Secretary Amy Fecher

June 13, 2022

Rebecca Miller-Rice, Administrator
Administrative Rules Review Section
Bureau of Legislative Research
One Capitol Mall, 5th floor
Little Rock, Arkansas 72201

Via: Electronic Mail

Re: June Act 595 Update

The Department of Transformation and Shared Services (TSS) is in the process of promulgating several rules as a result of the Regular Session of the 93rd General Assembly. In accordance with Arkansas Code Annotated § 25-15-216(b)(5)(A)(ii), TSS provides the following update:

(1) Rules for OPM to Review Training Materials on Divisive Concepts, Act 1100 of 2021

- (a) TSS strived to meet the Act 585 rule deadline for Act 1100 of 2021 rules but was unable to meet the deadline due to the time required to draft the rules and the accompanying forms that would need to be deployed at the time the law became effective.
- (b) Once TSS receives Governor approval, it will continue the promulgation through the requirements of the Administrative Procedures Act.
- (c) TSS anticipates the rules will be filed for adoption on or before August 15, 2022, but the promulgation timeline will be dependent upon public comment and legislative review.

(2) Rules for DBA Minimum Standards and Criteria, Act 440 of 2021

- (a) TSS strived to meet the Act 585 rule deadline for Act 440 of 2021 rules. Instead of updating rules to only reflect Act 440 of 2021, TSS has engaged in a more comprehensive update of the DBA Minimum Standards and Criteria that has taken substantial drafting and agency review.
- (b) The rules draft is being finalized and will soon be submitted for Governor approval.
- (c) Once TSS receives Governor approval, it will continue the promulgation through the requirements of the Administrative Procedures Act.
- (d) TSS anticipates the rules will be filed for adoption on or before August 15, 2022, but will be dependent upon public comment and legislative review.

(3) Approval Process for OSP to Procure a Commodity or Service for Its Own Use Through Participation in a Cooperative Purchase Agreement, Act 488 of 2021

TSS reviewed Act 288 of 2021 and determined that rules are not required nor necessary to carry out the Act. Accordingly, TSS respectfully requests to remove Act 488 of 2021 from the Act 585 report moving forward.

Office of the Secretary

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